



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

MARCIA C. GETER,	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION NO. 3:14-4703-MGL-SVH
	§	
	§	
MAGNOLIA MANOR OF COLUMBIA; and	§	
FUNDAMENTAL LONG TERM CARE	§	
HOLDINGS, LLC,	§	
Defendants.	§	

---

**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
AND GRANTING DEFENDANTS' MOTION TO DISMISS AND COMPEL ARBITRATION**

---

This case was filed as a job discrimination action. Plaintiff is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting that the Court grant Defendants'\* motion to dismiss and to compel arbitration, retain jurisdiction over the parties for all matters relating to this action after arbitration, and hold Plaintiff's motions for joinder to be rendered moot. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court.

---

\*In a scrivener's error on page six of the Report, the Magistrate Judge mistakenly refers to this as Plaintiff's motion.

*Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on September 25, 2015, and the Clerk of Court filed Plaintiff's objections to the Report on December 3, 11, and 14, 2015. The Court has reviewed the objections, but finds them without merit. Therefore, it will enter judgment accordingly.

Plaintiff generally does nothing more than to reargue issues already considered and rejected by the Magistrate Judge. Because, the Court agrees with the Magistrate Judge's analysis, it need not repeat the discussion here. The remainder of Plaintiff's objections are no lacking in merit as not to require discussion. The contentions that she makes in her submissions to this Court can and should be presented and decided by the arbitrator during the arbitration proceedings.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court overrules Plaintiff's objections, adopts the Report, and incorporates it herein. Therefore, it is the judgment of this Court that Defendants' motion to dismiss and to compel arbitration is **GRANTED**, thus **RENDERING AS MOOT** Plaintiff's motions for joinder. The Court will retain jurisdiction over the parties for all matters relating to this action after arbitration.

**IT IS SO ORDERED.**

Signed this 17th day of December, 2015, in Columbia, South Carolina.

s/ Mary Geiger Lewis  
MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE

\*\*\*\*\*

#### **NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.